

Message

From: Liljegren, Jennifer [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C7098A838CD34F75B8878571FE95D939-JLILJEGR]
Sent: 4/6/2018 1:51:50 PM
To: Scott, Denise [Scott.Denise@epa.gov]
Subject: RE: response to comment

This is great, thank you so much, Denise!

I think I found one more that I was hoping OAQPS might be able to help with. See below.

Thanks again,
 Jenny

Comment: Several public health groups and an environmental law and policy group commented on EPA's Wisconsin intended nonattainment areas, including the American Lung Association, the American Public Health Association, and the Alliance of Nurses for Healthy Environments, collectively (0257) and the Environmental Law and Policy Center (0262). Commenter (0262) agrees with EPA's intent to designate the Door, Sheboygan, and Manitowoc partial county areas as nonattainment. However, since Door, Sheboygan and Manitowoc counties are primarily affected by transported air pollution from the Chicago metropolitan area, commenter (0262) questions why EPA is recommending the counties be designated as stand-alone nonattainment areas rather than as part of the Chicago IL-IN-WI multistate area. Commenters (0257) believe that Sheboygan County, Manitowoc County, and Door County, Wisconsin, should be included as part of the Chicago IL-IN-WI nonattainment area since the data indicate these areas receive transported emissions from the Chicago metro area. Commenter indicates, "EPA's current proposal limits these counties' ability to ensure that they meet the standard quickly. EPA argues that these represent areas outside of the Chicago metropolitan area, so they separate the designations. With limited sources under their authority, these counties cannot take actions individually to control or reduce emissions coming into these counties. Fortunately, if national measures including the 2016 Cross-State Air Pollution Rule and the 2014 Tier 3 standards remain in effect, these counties will have federal help to meet the standards. However, if included as part of the larger metro area planning and implementation, those counties would have a stronger voice in ensuring improvements to protect the health of their residents." Commenter (0262) notes that even though the Milwaukee area is between these northern counties and the Chicago metropolitan area, back trajectory analyses show that they are affected by transport from the Chicago area. Commenter indicates Door County is sufficiently remote that an individual designation may be more appropriate; however, the commenter (0262) asks that EPA consider this issue for all three counties.

Response: EPA acknowledges the receipt of these comments. While it might make sense to include Sheboygan and possibly Manitowoc in the Milwaukee area (not the Chicago area since it is not contiguous with Sheboygan and Manitowoc), EPA carefully considered this option and decided to maintain its long-standing method of starting with the larger of the CSA or CBSA as the initial area of analysis for each area with violating monitor(s).^[1] Sheboygan and Manitowoc are each single county areas. The state has the discretion to make decisions regarding how best to target attainment planning for its nonattainment areas including its single (partial) county areas that are upwind of in-state urban areas and EPA stands ready to work cooperatively with the state in these efforts. As for contributions from out-of-state upwind areas (e.g. the Chicago area), the transport provisions of the Clean Air Act require each state to analyze their contributions to downwind nonattainment and maintenance receptors.

[Maybe ask OAQPS if they have additional boilerplate response text to insert here for ozone transport related responses and insert footnotes to the appropriate sections of the CAA and or EPA ozone transport good neighbor SIP guidance documents]

^[1] <https://www.epa.gov/ozone-designations/epa-guidance-area-designations-2015-ozone-naaqs>

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From: Scott, Denise
Sent: Friday, April 06, 2018 8:42 AM
To: Liljegren, Jennifer <Liljegren.Jennifer@epa.gov>
Subject: RE: response to comment

Hi Jenny, here is a placeholder. I have asked Carla and Bob, with implementation program to review.

From: Liljegren, Jennifer
Sent: Thursday, April 05, 2018 5:02 PM
To: Scott, Denise <Scott.Denise@epa.gov>
Cc: D'Agostino, Kathleen <dagostino.kathleen@epa.gov>; Svingen, Eric <Svingen.Eric@epa.gov>; Rosenthal, Steven <rosenthal.steven@epa.gov>
Subject: response to comment

Hi Denise,

I realized I have another comment (see below) for which OAQPS might have a response.

I do not think that I included this one in previous emails with our list of comments for which we were seeking assistance from OAQPS.

Thanks,
 Jenny

Business operations (existing and new)

Comment: Commenters 0266, 0308, 0259, 0247, 0250, 0244, 0274, 0285, and 0308 alluded to or expressed concerns about economic growth and business operations. In particular, commenter 0266 is concerned about possible implications of nonattainment such as WDNR developing a SIP mandating emissions reductions from existing sources and emissions offsets for the permitting of new sources, with specific emphasis on an electronics manufacturing district planned for construction in Racine County. Commenter 0310 indicated that EPA's potential nonattainment designations impose a heavy regulatory load on businesses and industry and threaten the well-being of the state's economy. Commenter 0285 is concerned about a negative connotation associated with and difficulty attracting new businesses and residents to nonattainment areas.

Response: ask OAQPS (e-mail Denise?) if they have boilerplate response indicating NAAQS are health-based standards, NAAQS nonattainment area designations do not take cost into consideration only implicit benefit of human health protection?